

**MAYOR AND COUNCIL PUBLIC HEARING
TUESDAY, AUGUST 8, 2006, 7:00 P.M.**

Heart of Civil War Heritage Area Out-of-Sequence Master Plan Amendment, Ordinance No. 397–Jeff Love

Gives brief overview (attached.) Staff recommends approval.

No public comment.

**MAYOR AND COUNCIL MEETING
TUESDAY, AUGUST 8, 2006, IMMEDIATELY FOLLOWING**

Call to Order

Pledge

Roll Call–Johnson, Smith, Greenfield, Stull, Bruchey—all present, Bell–absent

Oath of Office–Council Members Smith, Johnson, Allgaier
Sandra Dalton, Clerk of the Circuit Court swears in.

Mayor’s Remarks

Approval of Minutes

Mayor and Council–July 11 & 25, 2006

Finance Committee–July 6 & 20, 2006

Motion to approve–Stull

2nd–Greenfield

Vote 6-0

Mayor reads plaque to former Council Member, Brent Bell, thanking him for sixteen years of service to Council.

Staff Reports/Committee Reports

Planning & Zoning–Jeff Love

Report attached.

Public Works–Al Danaher

Report attached.

Police–Chief Rough

Report attached.

Chief states two officers are graduating from Academy on August 25, 2006.

Waste Water–Mike Campbell
Report attached.

Water–Pat Hoffmaster
Report attached.

View Engineering–Rick Travers
Report attached.

Code Enforcement–Dave Dunn
Report attached.

Events–Debbie Greenfield
Report attached.

Citizens' Forum

Jim Pollitis, Beans in the Belfrey–Concerns regarding new ordinances affecting his business. Questions whether Beans is considered a coffee house or a restaurant? Doesn't agree with having to remove sidewalk chairs, tables, etc. at close of business. Concerned signage size allotment for downtown signs.

Bob Ward–713 East A Street–Brings letter requesting Campground usage for Haunted House thru Brunswick Area Rec Council.

Roy Bates–413 North Maple Avenue–Reminds everyone about Citizens Emergency Readiness course.

Ethics Committee Appointments–Roy Bates, Bob Ward, Jamie Eshbaugh

Old Business

Sidewalks, Signs, and Skateboard Ordinance–Dave Dunn
Gives background of six ordinances..attached.

Ord. # 441–Prohibits use of roller skates, roller blades and in-line skates on sidewalks and streets downtown.

Ord. #444–Skateboards not allowed on any public sidewalk within City, nor are they allowed in streets in downtown area.

Ord. #442–Establishes private use of public streets. Licenses will be required to use public streets.

Ord. #443–Signs located in public right-of-way. Existing signs grandfathered in, with no alterations or movement allowed.

Ord. #446–Nullifies current ordinance pertaining to use of sidewalks, etc.

Ord. #445–Pertains to what is and is not allowed on sidewalks, mud, gutters, cellar doors, sidewalk cafes, etc.

Comments–

Ord. 441

Smith–Feels skateboards, skates, etc. shouldn’t be allowed on any City streets, not just downtown streets.

Mayor–Feels not allowing any skateboarding in City streets is too much governmental control.

Johnson–What are penalties?

Dunn–Skateboards may be impounded by Police and returned to parents upon payment of fine.

Allgaier–Suggests for consistency, language for penalties be added to Ord. #441.

Stull–Motion to table Ord. 441

2nd–Bruchey

Vote 6-0

Ord. 444

Bruchey–motion to table Ord. 444, to add language about tennis courts

2nd–Stull

Vote 6-0

Consent of Council that non-motorized scooters be added to section pertaining to downtown and that Ordinances pertaining to skateboards and all skates be condensed into one ordinance.

Motion to approve Ord. 446–Stull

2nd–Greenfield

Vote 6-0

Motion to approve Ord. 442–Smith

2nd–Stull

Vote 6-0

Ord. 443

Smith–Believes Johnson should recuse herself from discussion because her employer is Beans in

the Belfrey.

Ms. Johnson states she doesn't have any problem with that, and recuses herself.

Michelle Kirschner–Size requirements in this ordinance might not meet historic district regulations and requirements.

Stull–Motion to table Ord. 443

2nd–Bruchey

Vote 5-0

Ord. 445

Ms. Johnson recuses herself again.

Smith–Concerns were brought up about removing tables at night...doesn't think leaving them out are a problem if there is ample sidewalk room.

Dunn–Must be looked at globally for all businesses, not just one. Frederick City has this ordinance in place and there are good reasons for it.

Mayor–We are dealing with these Ordinances at this time to provide rules and regulations for future businesses, etc. in Brunswick. Currently, there is nothing addressing these issues.

Michelle Kirschner–Downtown businesses and Mainstreet wish to have outside furniture, etc. without hassles of plastic furniture blowing all around, etc.

Mayor–Will bring this back at next Council meeting.

New Business

Heart of Civil War Heritage Area Plan Out-of-Sequence Master Plan Amendment, Ordinance No. 397–Jeff Love

Motion to approve–Stull

2nd–Greenfield

Vote 5-0, Smith stepped out

Walnut Street Extension Abandonment–Dave Dunn

Report attached.

Smith–Motion to accept with conditions stated in letter

2nd–Greenfield

Vote 6-0

Co. 5 Mud Bog Water Usage–Debbie Greenfield

This is a yearly request and has been passed in previous years.

Motion to approve–Stull

2nd–Smith

Vote 6-0

Approved By: _____ Witness By: _____
Mayor Date City Administrator Date